

Filed by:

Motions Panel
Interference Trial Section
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
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Filed:
January 10, 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

HANS PETERSEN
and
MICHAEL HAROLD ROCK
(Application 09/794,755)

Junior Party,

v.

TETSUYA IKEMOTO, WEI-GUO GAO,
and
MASAMI IGI
(Application 10/086,076)

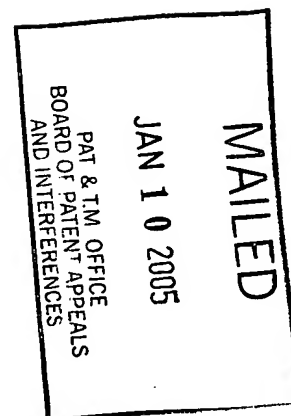
Senior Party

Patent Interference 105,075

Before McKELVEY, Senior Administrative Patent Judge, SCHAFER, and MOORE,
Administrative Patent Judges.

MOORE, Administrative Patent Judge.

Judgment - Merits - Bd.R. 127



Upon consideration of Petersen Preliminary Motions 1-3, Petersen Miscellaneous Motion 4, Ikemoto Preliminary Motions 1-3, Ikemoto Motion to Correct Inventorship, and for the reasons given in the DECISION ON PRELIMINARY MOTIONS (Papers 67 and 68), it is:

ORDERED that Petersen Preliminary Motions 1-3 and Miscellaneous Motion 4 (Papers 23, 24, 25, and 26) are **dismissed**.

FURTHER ORDERED that Ikemoto Motion to Correct Inventorship (Paper 46) is **granted**.

FURTHER ORDERED that Ikemoto Preliminary Motion 1 (Paper 29) is **dismissed**.

FURTHER ORDERED that Ikemoto Preliminary Motion 2 (Paper 50) is **denied**.

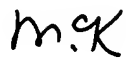


FURTHER ORDERED that Ikemoto Preliminary Motion 3 (Paper 51) is **granted**.

FURTHER ORDERED that Petersen is not entitled to a patent containing Petersen claims 6 and 7 of involved Petersen application 09/794,755, filed February 26, 2001.

FURTHER ORDERED that entry of this judgment constitutes a final decision in this interference [37 CFR §41.2--definition of "final"--reprinted in 69 Fed. Reg. at 50003 (Aug. 12, 2004)].

FURTHER ORDERED that a copy of each DECISION ON PRELIMINARY MOTIONS (Papers 67 and 68) and this JUDGMENT shall be placed in the file of (1) application 09/794,755 and (2) application 10/086,076.

FURTHER ORDERED that if there is a settlement agreement, attention is directed to 35 U.S.C. §135(c) and 37 CFR §41.205, reprinted in 69 Fed. Reg. at 50019 (Aug. 12, 2004).

 _____)	
FRED E. McKELVEY)	
Senior Administrative Patent Judge)	
)	
 _____)	BOARD OF PATENT
RICHARD E. SCHAFER)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
)	
 _____)	
JAMES T. MOORE)	
Administrative Patent Judge)	

Date: January 10, 2005
Alexandria, VA

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